

AFFIDAVIT OF SUITABLE SERVICE

INDEX # 08 CV 4274^N

U S District COURT OF THE STATE OF NEW YORK
COUNTY OF Southern

Jose Garcia Randy Garcia And Jose Garcia Jr
Individually And Leonidas Garcia Etc

- against -

The City Of New York Detective Anthony
Pezzullo Ada Curtis Farber Etc

COCHRAN NEUFELD & SCHE
99 Hudson St
NEW YORK
NY 10013

(212) 965-9081

Atty File # 2063

Record # 123503

File # 1007

STATE OF NEW YORK: COUNTY OF NASSAU: ss

Howard Kwastel Lic #0940927 being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York:

That on 06/20/08 at 9:57am at 215 E 161 Street 4th Fl Bronx Ny 10451 deponent served the within Summons & Complaint In A Civil Action on Curtis Farber recipient therein named.

After your deponent was unable with due diligence to serve the recipient in person, service was made by delivering a true copy thereof to and leaving with Samantha Linen comments service aide a person of suitable age and discretion at 215 E 161 Street 4th Fl Bronx Ny 10451 said premises being the recipient's usual place of business within the State of New York.

Deponent completed service by depositing a copy of the Summons & Complaint In A Civil Action on 06/23/08 in a postpaid, properly addressed envelope by first class mail, bearing the legend Personal & Confidential and not indicating legal action, in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Mailing was made to 215 E 161 Street 4th Fl Bronx Ny 10451

Attempts:

A description of the person served on behalf of the defendant is as follows:

Approx Age: 36 Years Approx Weight: 185 Lbs. Approx Height: 5'10"
Sex: Female Color of Skin: Brown Color of Hair: Brown
Other: Glasses

Deponent spoke to Samantha Linen - Comments Service Aide same as above,


confirmed the above address of defendant and asked whether defendant was in active military service of the United States or the State of New York in any capacity whatever or is a dependent of anyone in the military and received a negative reply and that the defendant always wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in Federal statutes.

Sworn to before me this 06/23/08
Jeffrey Wittenberg #41-4906457
Notary Public, State of New York
Nassau County, Commission Expires 08/22/10


Howard Kwastel Lic #0940927

Supreme Judicial Services, Inc.
371 Merrick Road - Rockville Centre, N.Y. 11570 - (516) 825-7600
255 Broadway - New York, N.Y. 10007 - (212) 319-7171
Fax (516) 568-0812

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	6/23/08
NAME OF SERVER (PRINT) HOWARD KWASTEL	TITLE	PROCESS SERVER
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: SAMANTHA LINEN <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Executed on <u>6/23/08</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p><u></u></p> <p style="text-align: center;">Signature of Server</p> </div> </div> <div style="text-align: center; margin-top: 30px;"> <p>SUPREME JUDICIAL SERVICES INC.</p> <p><i>Address of Server</i> 371 MERRICK ROAD SUITE 202</p> <p>ROCKVILLE CENTRE, NY 11570</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.